

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RYAN CHANDLER,

Plaintiff,

**DEFENDANTS’
PROPOSED VOIR DIRE**

-against-

18-cv-10145(NSR)(JCM)

CITY OF MOUNT VERNON,
POLICE OFFICER PATRICK KING,
POLICE OFFICER ROBERT G. PUFF,
POLICE OFFICER MICHAEL P. MOCULSKI,
POLICE OFFICER PHILLIP J. LEONTI,

Defendants.

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Defendants CITY OF MOUNT VERNON, POLICE OFFICER PATRICK KING, POLICE OFFICER ROBERT G. PUFF, POLICE OFFICER MICHAEL P. MOCULSKI, and POLICE OFFICER PHILLIP J. LEONTI (“Defendants”) respectfully submit the following proposed questions for the examination of prospective jurors during *voir dire*. Considering the heightened attention and discourse on matters involving the use of force by police officers across the country, Defendants respectfully request that a majority of the *voir dire* relating to attitudes about law enforcement, be conducted individually, at side bar, after the general questions are asked. Defendants also request that questions regarding substance abuse and illicit drugs be proposed in this manner. Conducting this portion of *voir dire* in this manner will preserve the privacy of prospective jurors, encourage honest responses, and avoid contamination of the entire panel by a particular juror’s reactions or responses.

General Questions

Defendants request that the Court ask its standard and customary questions to the jurors as to their individual background and histories, including but not limited to questions regarding the following topics:

1. County and Town/Village of residence;
2. Employment/past employment;
3. Marital status, dependents living in residence;
4. Spouse's employment, if applicable;
5. Adult children's employment, if applicable;
6. Educational background, including graduate and post-graduate degrees;
7. Prior jury service;
8. Prior Grand Jury service;
9. Prior involvement in the criminal justice system, whether as a witness to a crime, a victim of a crime, or testifying in a criminal matter;
10. Involvement of family members with the criminal justice system;
11. Legal experience, including whether as a litigant or witness in a civil matter;
12. Relationships, if any, to a law enforcement officer, whether federal, state or local;
13. Religious or moral beliefs which would make it difficult to sit as a juror in a civil matter;
14. Familiarity with any party to the case, attorneys, proposed witnesses, and/or the Court;

15. Medical conditions or language barriers which would prevent or obstruct a full understanding of the evidence; and
16. Personal issues or circumstances which might interfere with concentration during the trial.

Questions Regarding the Parties and Counsel

17. Are you familiar with Ryan Chandler?
18. Are you familiar with Officers Robert Puff, Patrick King, Michael Moculski, or Philip Leonti?
19. Are you familiar with any of the following persons whose names may be mentioned during the trial of this case: Det. Sgt. Sean Fegan, Det. Pedro Abreu, Police Officer Joshua Howard, Police Officer Andres Sanchez, Police Officer Joseph Campo, Police Officer Michael Hutchins, Captain Michael Goldman, Lt. Steve Sexton, Chief of Police Marcel Olifiers, Mr. John Monaghan?
20. Do you know or are you familiar with any other members of the Mount Vernon Police Department?
21. Are you familiar with Plaintiff's attorney, Alexis G. Padilla?
22. Are you familiar with any of Defendants' attorneys: Andrew C. Quinn, Steven Bushnell, Marykate Acquisto?

Media Coverage of the Instant Matter/MVPD Generally

23. Have you seen any media coverage regarding the instant matter, including print and television coverage?
24. Have you read any media articles regarding this matter in any medium?

25. Do you know anybody who has expressed an opinion on this matter?
26. Have you read any media articles about the Mount Vernon Police Department? If so, in what publication? (News 12; Journal News; The Gothamist, Esquire)
27. Do you have any feelings, positive or negative, about the Mount Vernon Police Department?
28. Do you know anyone who has expressed an opinion of the Mount Vernon Police Department?
29. Which newspapers do you regularly read?
30. What websites or blogs do you regularly read/subscribe to?
31. What television stations do you regularly watch?
32. Do you use social media? If so, what type? How often?

Experience with Substance Abuse and Illicit Drugs

33. Do you have any feelings about the use of illicit drugs in the United States?
In your community?
34. Do you have any feelings regarding the legalization of any drugs? If so, what?
35. Do you or does someone close to you have experience with or a history of substance abuse or the use of illicit drugs?
36. Have you or has someone close to you been arrested for a drug-related offense?

Opinions and Feelings About Law Enforcement

37. Can you tell us in general whether you have feelings one way or another about police officers or law enforcement officers?

38. Would you consider the testimony of a law enforcement officer any more or less credible than the testimony of another witness simply because the witness is a law enforcement officer?
39. Have you ever written any articles, posts or comments on a social media platform, blog, news source, or any other type of forum regarding conduct of police officers?
40. Have you ever participated in a rally or protest concerning the use of force by police officers?
41. Are you a member of any police support organization, such as Blue Lives Matter, Police Athletic League, National Association of Police Organizations, etc.?
42. Do you follow any police support organizations, such as Blue Lives Matter, Police Athletic League, National Association of Police Organizations, etc., on any form of social media?
43. Are you a member of any police watchdog or law enforcement reform advocacy groups, such as the American Civil Liberties Union, Blacks Lives Matter, Cop Watch, Civilian Complaint Review Board, etc.?
44. Do you follow any police watchdog or law enforcement reform advocacy groups, such as the American Civil Liberties Union, Blacks Lives Matter, Cop Watch, Civilian Complaint Review Board, etc., on any form of social media?
45. Do you have any feelings about the relationship between police officers/departments and the communities they serve which would make it difficult for you to be fair and impartial in this case?

46. Do you have any strong feelings about the techniques, policies, practices or methods of modern-day policing, such as “stop and frisk”, “broken windows”, quality of life enforcement, etc., that would make it difficult for you to be fair and impartial?

Personal Experience or Relationships with Law Enforcement

47. Have you ever come in contact with a police officer in the performance of his or her official duties? What were the circumstances? Will that interaction effect your ability to judge the actions of the Defendants in the instant case?
48. Do you have any relatives or close friends who are employed in law enforcement? Will your discussions with those relatives affect your ability to be fair and impartial in this matter?
49. Have you or have any of your family members or close friends been subjected to the use of force by a police officer? If so, what were the circumstances?
50. Have you ever filed a complaint against a police officer? If so, what were the circumstances? With what agency did you file the complaint? What was the outcome of your complaint?

WHEREFORE, Defendants request that the Court propose the above-listed questions to the prospective jurors.

Dated: White Plains, New York
November 19, 2021

Respectfully Submitted,

THE QUINN LAW FIRM, PLLC



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